

When Recorded, Please Return to:
Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2004-04

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE ADDENDUM TO THE IMPROVEMENT AGREEMENT FOR THE PUBLIC IMPROVEMENTS OF CENTURY MEADOWS TWO, UNIT NO. 4, TRACT NO. 3272; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDENDUM TO THE IMPROVEMENT AGREEMENT ON BEHALF OF THE CITY OF LODI, AND FURTHER APPROPRIATING FUNDS FOR THE REIMBURSEMENT

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WHEREAS, Century Meadows Two, Unit No. 4 Subdivision is located east of Mills Avenue, north of Harney Lane and south of the Century Meadows Two, Unit No. 3 development; and

WHEREAS, as a condition of development, the developer, FCB Building Partners I, L.P., is required to complete the installation of street frontage improvements along Harney Lane; and

WHEREAS, at this time, Century Meadows One, Unit No. 2 Subdivision east of Century Meadows Two, Unit No. 4, as shown on Exhibit A attached, is also under construction, and when both subdivisions are complete, the properties at 1683 and 1749 West Harney Lane will be the only properties on the north side of Harney Lane between Ham Lane and Mills Avenue without street frontage improvements; and

WHEREAS, staff recommends that the frontage improvements along these properties be completed at this time, and the developer of Century Meadows Two, Unit No. 4 has agreed to include the frontage improvements for these properties in its project; and

WHEREAS, the improvements include curb, gutter, and asphalt concrete pavement, and the developer is eligible for reimbursement by the City for these improvements in conformance with Lodi Municipal Code §16.40 "Reimbursement for Construction"; and

WHEREAS, staff estimates the cost of the work to be \$49,040.74, and the developer will be reimbursed based on verified claims for the work done by the developer's contractor when the improvements are complete and accepted by the City; and

WHEREAS, in order to construct the frontage improvements along 1683 and 1749 West Harney Lane, additional street right-of-way dedication on Harney Lane and public utility easements behind the right of way are required from the owner, Nick Farros; and

WHEREAS, the owner has agreed to dedicate the right-of-way (ten feet) in exchange for the frontage improvements, which include relocation of one existing tree, relocation of a wood fence, and installation of a new driveway as shown on Exhibit B attached hereto; and

WHEREAS, in addition, a chain link fence will be installed along the existing orchard. The cost of the work on the Farros property is estimated to be \$9,340.00, and the owner will be reimbursed based on verifiable claims for the improvements when the project is complete; and

WHEREAS, the developer has furnished the City with the Addendum Agreement and has provided improvement security for the additional work in Harney Lane; and

WHEREAS, staff therefore recommends that the City Council take the following action with regard to the Century Meadows Two, Unit 4, Tract No. 3272, development:

1. Approve the Addendum to the Improvement Agreement for the Public Improvements of Century Meadows Two, Unit 4, Tract No. 3272, and direct the City Manager and City Clerk to execute the Addendum to the Improvement Agreement on behalf of the City; and
2. Appropriate \$58,400.00 from the Local Street Impact Fees fund to reimburse the developer for the additional Harney Lane street frontage improvements and the owner for the private improvements necessitated by the Harney Lane work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby finds as follows:

1. That the Addendum to the Improvement Agreement for the Public Improvement of Century Meadows Two, Unit 4, Tract No. 3272, is hereby approved and further authorizes the City Manager and City Clerk to execute said Addendum.
2. That \$58,400.00 is hereby appropriated from the Local Street Impact Fees fund to reimburse the developer for the additional Harney Lane street frontage improvements and the owner for the private improvements necessitated by the Harney Lane work.

Dated: January 7, 2004

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I hereby certify that Resolution No. 2004-04 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 7, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



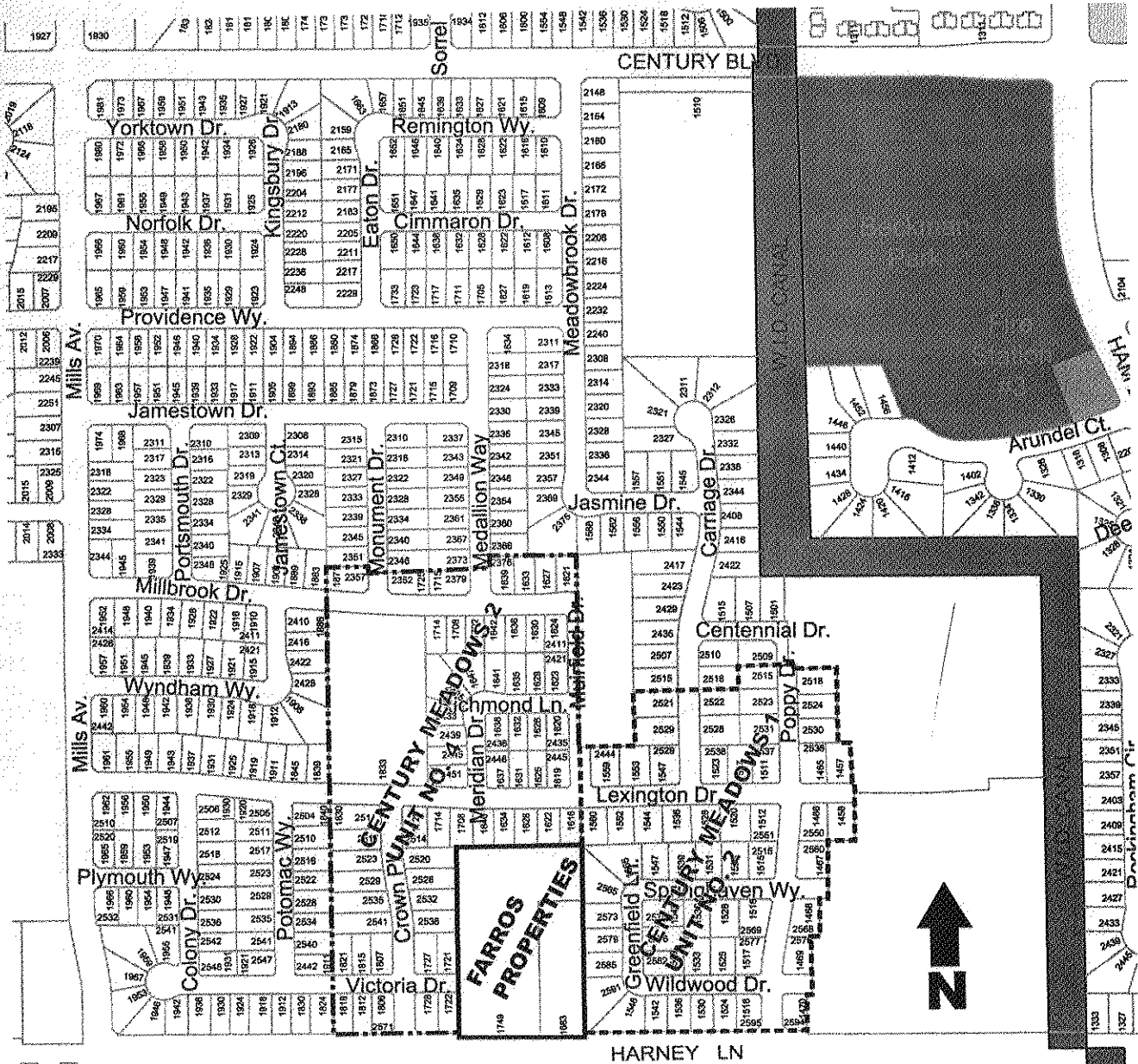
SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A





CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT B

